

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CITY OF GRASS VALLEY, ) 2:04-cv-0149-GEB-DAD  
 )  
Plaintiff, )  
 )  
v. ) ORDER CONTINUING STATUS  
 ) (PRETRIAL SCHEDULING)  
 ) CONFERENCE  
NEWMONT MINING CORPORATION, a )  
corporation; NEWMONT USA LIMITED, a )  
corporation; NEWMONT NORTH )  
AMERICA EXPLORATION LIMITED, a )  
corporation; NEWMONT GOLD COMPANY, )  
a corporation; NEWMONT NORTH )  
AMERICA LIMITED, a corporation; )  
NEWMONT EXPLORATION LIMITED, a )  
corporation, )  
 )  
Defendants. )  
\_\_\_\_\_ )

The Joint Status Report filed September 6, 2005, reveals this case is not ready to be scheduled. Therefore, the Status (Pretrial Scheduling) Conference currently scheduled for September 19, 2005, is

/////

/////

/////

1 continued to December 12, 2005, at 9:00 a.m. A joint status report  
2 shall be filed no later than November 28, 2005.<sup>1</sup>

3 IT IS SO ORDERED.

4 DATED: September 7, 2005

5  
6 /s/ Garland E. Burrell, Jr.  
7 GARLAND E. BURRELL, JR.  
8 United States District Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

---

25 <sup>1</sup> The failure of one or more of the parties to  
26 participate in the preparation of the Joint Status Report does  
27 not excuse the other parties from their obligation to timely file  
28 a status report in accordance with this Order. In the event a  
party fails to participate as ordered, the party timely  
submitting the status report shall include a declaration  
explaining why it was unable to obtain the cooperation of the  
other party or parties.